



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 381
TRENTON, NEW JERSEY 08625-0381


JON S. CORZINE
Governor

DAVID J. SOCOLOW
Commissioner

MEMORANDUM

January 30, 2007

To: All Judges and Attorneys

From: Peter J. Calderone, Director and Chief Judge 

Subject: Recent Legislation

1. P.L. 2006, c. 103, codified at N.J.S.A. 37:1-28 et seq., permits same-sex couples to enter into legally sanctioned civil unions. While the law does not specifically amend the language of the workers' compensation act, this statute does state that civil union couples must be provided the same benefits as married couples with respect to workers' compensation benefits "including but not limited to survivors' benefits and payment of back wages." As required by this provision, dependency issues under N.J.S.A. 34:15-13 and any other workers' compensation statutory or regulatory section that make references to marriage or spouses would be read to include legally sanctioned civil unions and individuals in civil unions. A civil union would be evidenced by a civil union license.
2. P.L. 2007, c. 3, amends current N.J.S.A. 34:15-28 to allow, at the discretion of the workers' compensation judge, interest on awards that have not been paid within 60 days. The law previously provided for a three (3) month period before interest could be assessed.
3. P.L. 2007, c. 23, amends current N.J.S.A. 34:15-40, to allow, from the amount reimbursed to an employer, a reduction of up to \$750.00 for a petitioner's expenses where a petitioner has recovered monies in a third party action in matters related to the workers' compensation injuries. The law previously limited the reduction to \$200.00.

Please contact this office should you have an questions concerning these statutory matters.

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